

**MINUTES
CITY OF EDINA, MINNESOTA
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
DECEMBER 12, 2012
7:00 P.M.**

I. CALL TO ORDER

Chair Grabiell called the meeting to order at 7:00 PM

II. ROLL CALL

Answering the roll call were Commissioners Forrest, Schroeder, Kilberg, Potts, Platteter, Cherkassky, Carpenter, Staunton, Fischer, Grabiell.

Absent from the roll: Scherer

III. APPROVAL OF MEETING AGENDA

Meeting Agenda was approved as submitted.

IV. APPROVAL OF CONSENT AGENDA

The minutes of the November 28, 2012, meeting was filed as submitted.

V. COMMUNITY COMMENT

None

VI. PUBLIC HEARINGS

A. Lot Division. Matt and Mike Knodt, 3928 49th Street West, Edina, MN

Planner Presentation

Planner Teague informed the Commission Matt & Mike Knodt are proposing to split their existing lot into two lots to create a lot line separation of a double-dwelling at 3928 49th Street West. The double dwelling on this property is currently under construction, and has been built with a fire rated wall separating the two units. This would provide protection for each unit, should there be a fire on the other side.

Within the block of 49th Street West, there are a mixture of duplexes and single-family homes, zoned both R-1, Single-Family Residential and R-2, Double-Dwelling Unit.

Planner Teague concluded that staff recommends that the city council approve the lot division as requested.

Appearing for the Applicant

Mike Knodt, Property Owner

Chair Grabiell asked if anyone would like to speak to this issue; being none Commissioner Platteter moved to close the public hearing. Commissioner Staunton seconded the motion. All voted aye; motion carried.

Motion

Commissioner Carpenter stated this request is similar to past approvals of party wall lot divisions and moved lot division approval based on staff findings and subject to staff conditions. Commissioner Potts seconded the motion. All voted aye; motion carried.

B. Variance. Nicole Sundberg. 5801 Crescent Terrace, Edina, MN

Planner Presentation

Planner Aaker informed the Commission the subject property is located south of Crescent Terrace consisting of a one story rambler with an attached 2 car garage that was built in 1953. The applicant is planning to tear-down the existing home and replace it with a two story Mediterranean style home with an attached 4 car garage. The new home will conform to all of the ordinance requirements with the exception of the required front yard setback from Crescent Terrace. The ordinance requires that any new home or addition to an existing home maintain the average front yard setback of the adjacent homes on either side. The home adjacent to the west located at 33 Crescent Terrace is 82.3 feet from their front lot line. The adjacent home to the south located at 4904 Rolling Green Parkway provides a front yard setback of 73.2 feet. The required average front yard setback of the adjacent two homes establishing the front yard setback for the proposed home is 77.75 feet. The existing home is nonconforming and is located 51.9 from Crescent Terrace right-of-way. The new home is proposed to match the nonconforming 51.9 foot front yard setback of the existing home.

The lot is large, triangular in shape with much of the lot area part of the

front yard. The purpose of the average front yard setback requirement is to maintain adequate spacing from the street and maintain continuity along a developed street scape. This rule is most important when the lots are narrow and set in a traditional lot and block pattern. The Rolling Green neighborhood is made up of angled streets and large estate lots and is not at all like a traditional street with rectangular lots within rectangular blocks. The character of the neighborhood includes large homes that are proportionate to the ample lot areas which are oriented towards views, topography and street presence. The proposed home has been designed to conform with all of the other zoning requirements including height setback and coverage. Planner Aaker concluded that staff recommends that the Planning Commission approve the variance based on the following findings:

1. With the exception of the variance requested, the proposal would meet the required standards and ordinances for the R-1 Single Dwelling Unit District.
2. The proposal would meet the required standards for a variance, because:
 - a. The proposed use of the property is reasonable; as the proposed home will uphold the established front setback pattern already existing on the block.
 - b. The proposed use of the property is reasonable; as the proposed home will uphold the established front setback pattern already existing on the block.
 - c. The practical difficulties in complying with the ordinance include the triangular shape of the lot and resulting amount of front yard that must be maintained given the required setback and the imposition of a deeper front yard setback given that the lot has always had a home located closer to the street than the neighboring properties.

Approval of the variance is also subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance in terms of house location, mass and over-all height with the following plans, unless modified by the conditions below:

Survey date stamped: November 29, 2012

Building plans/ elevations date stamped: November 28, 2012.

Appearing for the Applicant

Nicole and Jeff Sundberg, applicants and Nate Wissink, Streeter & Assoc.

Applicant Presentation

Nate Wissink addressed the Commission and with the aid of graphics noted for the

Commission the reasoning behind the proposed house location. Wissink indicated that their goal was to promote the best location for the new house for the following reasons:

1. By maintaining the front street setback established by the existing house greater opportunity was provided to achieve a larger rear yard area. This house placement is also less injurious to the property to the south by providing a deeper setback from the common property line.
2. When taking the adjacent houses into consideration it was found that the adjacent houses have buildable lot areas of 48%. The subject lot has a buildable area of 30% which creates practical difficulties in building placement.

Continuing, Wissink presented photos of existing houses in the neighborhood pointing out the diversity of those houses ranging from ramblers to two story homes and the rolling topography of the area. Concluding, Wissink reported that he had spoken with a number of neighbors about the proposal.

Chair Grabiell opened the public hearing and asked if anyone would like to speak to the issue.

Public Comment

The following spoke in opposition to the requested variance:

Marcus Mollison, Lindquist & Vennum was present representing the following residents: Baker – 4904 Rolling Green Parkway, Edina, MN; Broat – 4820 Rolling Green Parkway, Edina, MN; Gilligan – 5804 Crescent Terrace, Edina, MN; Ramsay - 33 Crescent Terrace, Edina, MN; Gravier – 4909 Bywood West, Edina, MN

Suzanne Knelman – 4812 Rolling Green Parkway, Edina, MN
Phil Broat – 4820 Rolling Green Parkway, Edina, MN
Donna Ramsay – 33 Crescent Terrace, Edina, MN
Patty Gilligan – 5804 Crescent Terrace, Edina, MN

Comments focused on the size of the proposed house including its style and height as a two-story home vs. the present one-story ranch style home. Change in streetscape and the potential loss of views would also negatively impact surrounding properties.

Chair Grabiell asked if anyone else would like to speak to the issue; being none, Commissioner Potts moved to close the public hearing. Commissioner Staunton seconded the motion. All voted aye; motion carried.

Discussion

In response to comments from neighbors Mr. Wissink introduced Andrea Swan,

architect for the project. Swan reported she was careful with the design of the new house adding much thought went into the placement of the house and its design elements. Swan acknowledged the house as proposed is two story; however, the “height” is centered in the middle. The areas of the house that abuts the two neighboring properties are one-story. Continuing, Wissink clarified that the actual building height is 32.9-feet and the house to the south is two feet lower. Wissink also noted that to promote privacy additional landscaping would be added to the existing landscaping between the subject property and the Ramsay property.

Chair Grabiell asked Planner Aaker to respond to a comment from a resident that asked if Planning Staff visited the subject site before writing the staff report. Planner Aaker responded in the affirmative; staff visits the site.

Commissioner Fischer referred to the front yard setback of a house on Bywood West and questioned if the front yard setbacks in this neighborhood varies every few houses. Planner Aaker responded that in this neighborhood front yard setbacks vary adding that the City ordinance regulating front yard setbacks in “established” neighborhoods is the same throughout the City. Continuing, Aaker explained that in an “established” neighborhood the front yard setback is now determined by averaging the homes on either side. Aaker reiterated in Rolling Green front yard setbacks vary and are a “mixed bag”. Fischer commented that it’s been his experience that corner lots have the tendency to require variances for additions or redevelopment. Aaker agreed with that statement.

Commissioner Platteter asked Planner Aaker if staff calculated the building height of the adjacent houses. Planner Aaker responded she did not calculate the height of the adjacent homes.

Commissioner Staunton said he understands how staff formulated the required setback for the new home at 77.75-feet by averaging the setbacks of the houses on either side; noting this leaves a “building area” of roughly 12,000 plus square feet. Continuing, Staunton asked Planner Aaker if she knows the lot coverage for the adjacent lots. Aaker responded that in this neighborhood (including the subject lot) lot coverage isn’t an issue due to the size of the lots, adding she did not calculate lot coverage for the adjoining lots. Aaker concluded to clarify lot coverage requirements that lot coverage doesn’t include driveways, sidewalks, swimming pools and the required pool decking, etc.

Motion

Commissioner Potts said he appreciates all comments from neighbors and given the nature of this street and the size and shape of the lot he appreciates the design submitted. Potts said in his opinion the house as presented maintains the character of the neighborhood, adding he agrees with staff’s observations.

Commissioner Potts moved variance approval based on staff findings and subject to staff conditions. Commissioner Fischer seconded the motion.

Commissioner Schroeder asked Planner Teague to review the variance requirements for practical difficulties.

Planner Teague responded that a variance will relieve practical difficulties that prevent reasonable use from complying with ordinance requirements. Continuing, Teague said reasonable use does not mean that the applicant must show that the land can't be put to any reasonable use; rather they must show there are practical difficulties in complying with the Code. Teague said "practical difficulties" may include functional and aesthetic concerns. Concluding, Teague stated in looking at what's reasonable for this site and given the practical difficulties from the curve in the road and the setback imposed by the adjacent homes staff felt that moving the proposed house farther forward on the lot would reduce impact to the home to the south and that the proposed house maintained the character of Rolling Green.

Commissioner Staunton stated he supports the variance request as presented adding he was persuaded by the location of the old house. Staunton commented that much of the objection to the new house appears to be with its mass. Staunton concluded he understands the concerns of neighbors; however, believes "breathing room" is maintained.

Commissioner Forrest said her initial reaction was to support the variance acknowledging the shape of the lot is unique. After further consideration Forrest noted that the buildable area on this lot is generous and in her opinion it's not unreasonable for the neighbors to want to see the neighborhood character protected through City ordinances. Forrest reiterated there appears to be enough space to work with to lessen the impact of the new house. Forrest also noted that this design appears to contain additional impervious surface, adding that changes the character of the lot too.

Commissioner Fischer observed that the house to the south has a lesser setback than the proposed house and enjoys that setback. He noted many residents living in the City's smaller lot neighborhoods would say "wow" to someone having a building area of 12 thousand + square feet; however, this isn't most neighborhoods or most Edina lots this is Rolling Green where the majority of lots are large in comparison. Fischer added the lot configuration and the curve and layout of the road in his opinion were not self-created. He said the house that's there today isn't a small house, it's a one-story house; however, its presence is noticeable when driving this block. Fischer said in the scope of what's happening in Rolling Green in his opinion the character of Rolling Green wouldn't be negatively impacted because of this request. He acknowledged at the end of the day this will be a change but this change shouldn't alter the character of the Rolling Green neighborhood.

Chair Grabiell stated in his opinion it could be considered unreasonable to build a house without a 'back yard', adding having a back yard is reasonable. He also noted with regard to the neighborhood that the aerial indicates a number of the homes have swimming pools and other outdoor amenities.

Commissioner Staunton questioned if this lot is being penalized because of its triangular shape and curve in road. He noted if the lot was more "squared" off there may not be a variance issue. He noted the proposed house appears to be squared to the corner.

Chair Grabiell called for the vote: Ayes; Schroeder, Platteter, Potts, Carpenter, Staunton, Fischer. Grabiell. Nays; Forrest. Motion carried.

C. Variance. Doug and Pat Vayda. 5201 Wooddale Avenue, Edina, MN

Staff Presentation

Planner Aaker reported that the subject property is a corner lot located south of west 52nd Street and east of Wooddale Ave. and is owned by Doug and Pat Vayda. It consists of a one and one half story home built in 1935 with an attached garage that loads from west 52nd Street. The home was built in the north east corner of the site with the garage and portions of the home within the 25 foot rear yard setback and the garage within the 20 foot setback required from the side street.

Planner Aaker explained that while the garage may look like a two car garage, the interior space measures 16'-10" x 17' - 11" and is not considered large enough to be a two car garage. The existing garage is located a little over 19 feet from the side street lot line and 6 inches from the rear lot line. No variance is required from the rear lot line because they will maintain the existing nonconforming rear setback and will not add more than 200 square feet into the setback area as allowed by the nonconforming addition section of the city code.

The ordinance requires a minimum 20 foot setback for a garage opening facing the street, so the existing garage is currently nonconforming at a little over 19 feet from the lot line. The owners would like to decrease the setback from the north lot line to be approximately 15 feet from the north lot line. The adjacent home to the east has their garage front setback approximately 6' - 8' from their the north lot line, or roughly 11 - 13 feet closer to the street than the subject's existing garage or 9 feet closer to the north lot line than the proposed garage extension. It should be noted that given the boulevard area, the new garage front will still be approximately 26' - 9" from the street edge of 52nd Street..

Planner Aaker concluded that staff recommends that the Planning Commission approve the variance based on the following findings:

- 1) With the exception of the variance requested, the proposal would meet the required standards and ordinances for the R-1, Single Dwelling Unit District.
- 2) The proposal would meet the required standards for a variance, because:

The proposed use of the property is reasonable; as it alters conditions on the property only slightly and keeps the garage addition farther from the street than the setback provided by the neighbor's garage to the east. The conditions on the property are not self-imposed and are a challenge when trying to maintain and improve the existing structure.

- 3) The practical difficulty imposed by the setback and the nonconforming garage location limits design opportunity. The intent of the ordinance is to provide adequate spacing between garage openings and the street. The proposed garage opening will be farther from west 52nd than the neighbor's garage and will still be 26' – 9" from the street edge.

Approval is also subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Survey date stamped January 4, 2011.
Building plans and elevations date stamped November 28, 2012.

Appearing for the Applicant

Doug and Pat Vayda, Jean ReKamp Larson, Architect

Discussion

Commissioner Carpenter asked for clarification on the use of the garage at this time. Planner Aaker responded that the applicants are not living in the house at this time.

Commissioner Staunton asked Planner Aaker the dimensions of the existing garage. Planner Aaker reported the interior measurement of the existing garage is 16'10" X 17'11".

Applicant Presentation

Jean ReKamp Larsen addressed the Commission and said their goal was to do a sensitive

addition maintaining the character of the neighborhood.

Mr. Vayda reiterated ReKamp Larsen's comment of their commitment to maintain neighborhood character and the character of the house. Mr. Vayda said he purchased the house from the original owner, adding the house needed some updating.

Chair Grabiell asked if anyone was present to speak to this issue; being none, Commissioner Carpenter moved to close the public hearing. Commissioner Potts seconded the motion. All voted aye; motion carried.

Commissioner Fischer commented that the change is minimal but he supports the variance as submitted.

Commissioner Forrest said she likes the sustainability of the project.

Motion

Commissioner Staunton moved variance approval based on staff findings and subject to staff conditions. Commissioner Platteter seconded the motion. All voted aye; motion carried.

D. Preliminary Plat. Franklin and Carol Sidell. 4232 Oakdale Avenue and 4412 Morningside Road, Edina, MN.

Planner Presentation

Planner Teague informed the Commission Peter Knaeble on behalf of Frank Sidell is proposing to subdivide the Sidell family-owned property located in between Little Street and Morningside Road into eight lots. Currently the site consists of six lots. The existing home on the south side of the property and various accessory buildings would be torn down and a cul-de-sac street would be built along the east lot line to serve six of the new home sites. The existing home at 4232 Oakdale would remain and one new lot created on Little Street. To accommodate the request the following is required:

1. A subdivision;
2. Lot depth variances from 161 feet to 131 feet for Lot 4; to 140 feet for Lot 6 and to 135 feet for Lot 7.

Teague reported within this neighborhood, the median lot area is 9,606 square feet, median lot depth is 161 feet, and the median lot width is 50 feet. Continuing, Teague explained that the applicant has developed a plat that would meet all of the minimum lot size requirements; therefore, this site is entitled to develop with eight lots. However, the applicant would rather not develop the site with that plan. There are some steep

slopes on this property as well as very mature trees. By developing the site in that configuration with a through street to connect Morningside Road to Littel Street would require extensive tree removal and slop disturbance. Therefore, the applicant is proposing the cul-de-sac configuration to avoid the slope; and is proposing a permanent conservation easement over some of the mature trees to ensure they are protected.

Planner Teague concluded that staff recommends that the City Council approve the proposed eight lot subdivision of the Sidell property and the lot depth variances from 161 feet to 131 feet for Lot 4; to 140 feet for Lot 6; and to 135 feet for Lot 7 based on the following findings:

1. The applicant has submitted a subdivision of the property that would meet all minimum zoning district requirements with eight lots and new through street that would connect Morningside Road and Littel Street.
2. Rather than develop the site per all minimum Zoning Ordinance requirements, the applicant has submitted a proposed subdivision of the property with a cul-de-sac, which requires lot depth variances for Lots 4, 6 and 7.
3. The proposed subdivision with the three lot depth variances would preserve the steep slopes on the site, and permanently preserves 82 mature trees by placing them in a conservation easement.
4. The proposed subdivision still has eight lots.
5. Except for the variances, the proposal meets the required standards and ordinance for a subdivision.
6. The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing steep slopes and mature trees on the property.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lots larger in size than the median, and there are 26 lots within 500 feet of the property that do not have lot depths greater than 131 feet, which is the shallowest of the three lots that require lot depth variances.
 - c. The variance request is reasonable, as subdivision still contains eight lots, which would be allowed with the Code compliant subdivision; however, it permanently protects steep slopes and 82 mature trees.
 - d. If the variances were denied, the applicant could still subdivide the property into eight lots, however the steep slopes would be disturbed and an additional 42 mature trees would be removed.

Approval is also subject to the following conditions:

1. The City must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.

2. Prior to release of the final plat, the following items must be submitted:
 - a. Submit evidence of Minnehaha Creek Watershed District approval. The City may require revisions to the preliminary plat to meet the district's requirements.
 - b. Enter into a Developers Agreement with the City. The Developers Agreement shall include the requirement for construction of the sidewalk as proposed.
 - c. Pay the park dedication fee of \$10,000
 - d. Individual homes must comply with the overall grading plan for the site. Each individual building permit will be reviewed for compliance with the overall grading plan subject to review and approval of the city engineer.
 - e. Compliance with the conditions outlined in the director of engineering's memo dated December 7, 2013.
 - f. A construction management plan will be required for the overall development of the site, and for each individual home construction.
 - g. Utility hook-ups are subject to review of the city engineer.
 - h. Establishment of a permanent tree preservation easement as demonstrated on the grading and tree preservation plan.
 - i. Outlot A shall be deeded to the adjacent parcel at 4408 Morningside Road.
 - j. The applicant must rebuild the driveway at 4408 Morningside Road to access off the new street, and eliminate the curb cut on Morningside Road. The configuration shall be subject to approval of the director of engineering.
 - k. A stop sign is required to be installed on the new street approaching Morningside Road. Clear sight lines shall be maintained from the intersection.
 - l. Use of Lot 7 for the overall grading of the development will require compensation to the City of Edina. A restoration plan shall be submitted by the applicant subject to review and approval by the City Council.

Appearing for the Applicant

Franklin and Carol Sidell, property owners and Peter Knable, Terra Engineering.

Discussion

Commissioner Carpenter asked Chuck Rickart, Edina traffic consultant to speak to this issue.

Mr. Rickart addressed the Commission and reported that his study found there were no operational concerns for either alternative (through-street or cul de sac). Rickart said with either roadway alignment stop sign(s) should be placed on the new street approaching Morningside Road. Continuing, Rickart said clear view is OK; however one should keep in mind if the Commission prefers the through-street cut through traffic could be an issue. Another suggestion Rickart expressed was recommending that the driveway adjacent to the new street for (4408 Morningside Road) should be realigned to eliminate turning conflicts.

Commissioner Carpenter asked Mr. Rickart his opinion on reducing the right-of-way. Rickart responded in his opinion a 24-foot side road would be adequate.

Applicant Presentation

Mr. Knable addressed the Commission and explained that two neighborhood meetings were held apprising neighbors of the project. Knable clarified that their preference is the cul de sac option. Continuing, Knable explained that the proposed lots vary in size from 10 – 23 thousand square feet with the average lot size roughly 14,000 square feet. Concluding Knable noted the proposed lots exceed the median standard.

Mr. Sidell, 4232 Oakdale, informed the Commission his family are long- time residents of Edina and have owned the subject lots for 50 years. Sidell said their mother is getting older and at this time the family needs to proceed with a plan for these lots. Sidell said that he believes the proposal they submitted maintains the character of the neighborhood and if the Commission supports the cul de sac option impact would be less.

Discussion

Commissioner Platteter noted the areas proposed for preservation and questioned how much would be lost to the “road”. Mr. Knable responded that much depends on the option chosen, the through street or the cul de sac. Continuing, Knable said they will grade only what “they have to” and all lots would be custom graded. With the cul de sac option there is also a preservation area. Concluding, Knable said their goal is to save as many trees as possible and redevelop the site maintaining the character.

Chair Grabiell opened the public hearing.

The following residents expressed concerns about the proposed subdivision request:

Richard and Sarah Hardy, 4408 Morningside Road.
Angela Deen, 4301 Eton Place.

Katrina McDonald, 4257 Ottawa, St. Louis Park
Pete Killilea, 4236 Lynn Avenue.
Greg Anderson, 4212 Oakdale Avenue.
Connie Wilde, 4413 Morningside Road.
Patricia Goodwin, 4417 Morningside Road.
Jennifer Colburn, 4247 Lynn Avenue.
Jim Wilde, 4413 Morningside Road.
James Schwert, 4231 Oakdale Avenue.
Doug Junker, 4216 Oakdale Avenue.
David Deen, 4301 Eton Place.
Seth Hannula, 4307 Oakdale Avenue.

Frank Sidell, 4221 Lynn Ave, applicant, told the Commission he grew up in the Sidell family home noting that Morningside was annexed to Edina in 1966. Sidell said that he has lived in the Morningside neighborhood for the majority of his life and wants as the neighbors do to see his family home nicely developed.

Chair Grabiell asked if anyone else would like to speak to this issue; being none, Commissioner Carpenter moved to close the public hearing. Commissioner Fischer seconded the motion. All voted aye; public hearing closed.

Discussion

Mr. Knable clarified that the Slidell's would be paying for the cul de sac and/or road. With regard to individual lots and one builder vs. multiple builders it's too early in the process to know how this will play out.

Chair Grabiell asked the applicants how in their opinion this subdivision addresses and preserves the character of the neighborhood.

Mr. Knable responded that in his opinion the character of the neighborhood is being preserved by maintaining the natural amenities of the site; its vegetation and steep slopes. Knable said at this time he cannot speak to individual house style or what the current character is of Morningside homes, reiterating maintaining the physical characteristics of the site is a goal.

Commissioner Fischer referred to piece of city property at Lynn and Littel and asked Teague if that land was available to the community; is it a park or not. Teague responded that piece of land was tax forfeit property, adding that it's also a very low spot and may have forfeited because of water run-off issues. Teague explained that the City "owns" a number of unimproved properties throughout the City through tax forfeiture. Teague said City policy is to not sell these parcels but to leave them as open space. If residents want this as a park they would have to petition the City and be subject to council direction.

Commissioner Staunton in addressing comments from residents on road damage asked if there is anything in the Code that addresses extra wear and tear during the construction phase, pointing out that the roads into this area are not “main” streets.

Planner Teague referred to the City’s Construction Maintenance Plan that addresses the construction phase, adding damage to the street(s) would need to be addressed by the developer. Continuing, Teague said during the construction phase City Staff could recommend routes and a road inventory could be taken prior to construction and after. Staunton commented that routing construction traffic would be a big help.

Commissioner Staunton commented that one word that keeps reoccurring is character, adding that so far no one has addressed the proposed lot sizes. Staunton pointed out the proposed new lots are significantly larger in area and width than the majority of the lots within the Morningside neighborhood. Staunton questioned if these lots could be considered too large. Staunton said he realizes Ordinance states a minimum lot width of 75-feet; however, it appears in this neighborhood the majority of lots are 50-feet wide and were platted before that Ordinance change. Staunton said he is just “throwing this out” for further thought.

Commissioner Platteter reported he lives in Morningside and his entire block is comprised of 50-foot wide lots; and to him that’s the character of his neighborhood. It was acknowledged that the 75-foot lot width reflects the “suburban” development on the west side of Edina; however, Morningside was developed with different and varied lot sizes

Chair Grabiell pointed out the minimum lots size in Edina is 75-feet adding that the City Council recently denied an applicant the ability to subdivide his 100-foot wide lot into two 50-foot lots. Grabiell said lot size may need to be readdressed through ordinance; adding in his opinion it won’t work to reduce these lots to 50-foot lots. Staunton said he agrees pointing out there were instances where variances were granted to allow redevelopment of 100-foot lots into 50-foot lots. Staunton said his focus was more on maintaining the character of Morningside and what’s the right thing for this area. Concluding, Staunton noted this is an area of smaller lot widths.

Commissioner Fischer said he really appreciates the efforts of the family and their representatives. He pointed out the easiest way for the family would have been to sell their land to a developer and act innocent about what happens next. Again, Fischer stated he appreciates the courage and effort of the property owners. Continuing, Fischer said in saying that; there still is the problem in that everyone has a different idea on how to maintain the character of Morningside. Fischer said he finds three interest groups; 1) save the trees and slopes, 2) connectivity/through street 3) cul de sac. Fischer said much of the problem is with “us” and the Zoning Ordinance. Fischer pointed out in much of Edina plats were developed under different zoning

requirements, adding the problems the City routinely sees seems to occur mostly in areas that were platted and developed prior to ordinance changes, especially the 75-foot width etc. Fischer noted the Ordinance drives this. Concluding, Fischer said the Commission worked hard to establish a PUD for redevelopment; however, that “tool” was eliminated from residential development and without that tool it is very difficult to find solutions. Fischer said there are so many options to consider with this replat, can pedestrians stay connected without the cars, can a narrower roadway be platted to provide better buffer for the adjacent neighbor, etc. and should smaller building pads be considered? There is much to consider. Fischer asked if the applicant would consider taking another look at their proposal.

Frank Sidell acknowledged that the design presented was their best effort to meet code, adding the through street design is conforming; no variances would be required. Sidell said as a family they agreed the through street wasn’t the way to proceed. He also said he was surprised by the suggestion of smaller lots. Concluding, Sidell said his mother is 89 years old and still lives in the family home, adding they are not on a “fast track”; however if something happens to their mother the family would be on a fast track.

Planner Teague explained the sketch plan process to the applicants, adding final action on what was submitted this evening needs to occur by March 5th. –

Commissioner Potts said he recognizes the uniqueness of this site, adding continuing this to give thought to other options would be a good idea.

Commissioner Forrest agreed that this location is unique and there are challenges due to its topography. Forrest acknowledged redevelopment is difficult in a fully developed neighborhood and redevelopment of this area will have a large impact. Forrest pointed out redevelopment could occur quickly or building could go on for a long period of time. Concluding, Forrest said all redevelopment should also be guided by the Comprehensive Plan.

Commissioner Carpenter said he has listened to the conversation adding much of what the Commission has been discussing appears to be modifying the proposal. He questioned if that’s the Commissions intent, noting ordinances can’t be modified during review process.

Commissioner Schroeder agreed adding that experience is three dimensional and the Commission may need to find a pattern and work backwards. Schroeder said in his opinion this proposal isn’t there yet; and as was suggested the Commission should take a step back and allow time to formulate alternatives. Schroeder asked the applicants if they would consider a continuance.

Commissioner Platteter suggested hosting something similar to a design charrette to help work through this. He asked Planner Teague if there is a precedent for this.

Teague responded to the best of his knowledge the City hasn't done anything like that on an individual development level. Teague pointed out the Commission developed the Sketch Plan Review process, adding the applicant could use that tool.

Mr. Knable said he understands where the Commission is going with this; however, without a PUD process he doesn't know how anything could happen. Continuing, Knable said he understands smaller lots make smaller houses; however, what the City may want the neighbors may not want. He added it appears to him the residents want less density not more and less traffic not more. Concluding, Knable said he doesn't want to work on a sketch plan that isn't well received by everyone.

Commissioner Fischer said more lots may not be the answer, but could be considered. Fischer added the goal would be to create a project that meets the character of Morningside.

Commissioner Schroeder commented that at this time there is a proposal before the Commission and the Commission can either move to approve or deny or ask the applicant if they would consider taking a step back by tabling the request to allow more time to work with the Commission and staff on possible alternatives.

Mr. Knable told the Commission in discussing this with the property owners they are in favor of continuing their request and taking another look at the plat. Continuing, Knable said he would be willing to work with the City Planner and a few Commissioners and return with a sketch plan for review. Knable said he also wants to keep in contact with the neighbors during this process.

Chair Grabiell noted the March 5th deadline and asked Planner Teague if that could be extended. Teague responded in the affirmative.

Motion

Commissioner Staunton moved to continue the Preliminary Plat for Franklin and Carol Sidell to the January 23rd meeting of the Planning Commission. Commissioner Schroeder seconded the motion.

Staunton also recommended that Commissioners volunteer to work with City staff and applicant on the possibility of revising the preliminary plat. Potts, Platteter, Schroeder and Fischer volunteered. Motion was amended to appoint Potts, Platteter, Schroeder, and Fischer to work with the applicant. All voted aye; motion carried to continue the meeting to the January 23, 2013 meeting of the Planning Commission.

Chair Grabiell thanked Potts, Platteter, Schroeder and Fischer for volunteering.

VII. CORRESPONDENCE AND PETITIONS

Chair Grabiell acknowledged back of packet materials.

VIII. CHAIR AND COMMISSION MEMBER COMMENTS

Chair Grabiell thanked Potts, Platteter and Forrest for their continuing work on the Ordinance.

Chair Grabiell reminded Commissioners there is no meeting on the 26th the Planning Commission will next meet on January 9th.

IX. STAFF COMMENTS

None.

X. ADJOURNMENT

Commissioner Potts moved adjournment at 10:45 pm. Commissioner Platteter seconded the motion. All voted aye. Motion carried.

Jackie Hoogenakker

Respectfully Submitted